

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Anchorage Field Office

CATEGORICAL EXCLUSION (CX) FORM

CX No.: AK-040-01-CX-032

Proposed Action Title/Types: Issuance of a 15 foot right-of-way to continue the use and maintenance of an access road/driveway to a private residence.

Location of Proposed Action: At approximately Mile Post 100 of the Glenn Highway, between Secs. 28 and 29, T. 20 N., R. 9 E., Seward Meridian, Alaska.

Description of Proposed Action:

On August 1, 1997, Joseph P. and Sandra Moore applied for a right-of-way to continue the use and maintenance of an access road/driveway pursuant to Title V of the Federal Land Policy and Management Act (FLPMA) of October 21, 1976,(43 U.S.C. 1740, 1761-1771). The applicant owns land for which access is needed. At approximately Mile Post 100 on the Glenn Highway there is an existing trail/road that had been cleared at some time in the past across public lands to the applicant's private property. The route runs along the section line between sections 28 and 29 and then, midway through section 29, runs westerly skirting a wetland area to the Moore's private land. Current level of use only requires infrequent brushing. Future upgrade to vehicular access may require some additional clearing of brush and placing of gravel fill in scattered low areas. No fill materials will be taken from or adjacent to the right-of-way.

Applicant: Joseph P. and Sandra Moore

PART I - PLAN CONFORMANCE REVIEW

This Proposed Action is subject to the following land use plan: Southcentral MFP, Objective L-1.

Date Plan Approved: March 1980.

The Proposed Action has been reviewed for conformance with this plan (43 CFR 1610.5, BLM MS 1617.3).

Remarks: The proposed right-of-way crosses lands selected by Cook Inlet Region, Inc. (CIRI) pursuant to the Alaska Native Claims Settlement Act. CIRI has provided a letter of non-objection for the proposed action.

PART II - NEPA REVIEW

A. Categorical Exclusion Review.

This Proposed Action qualifies as a categorical exclusion under 516 DM 6, Appendix 5.4.E.17

B. Departmental Exceptions Review.

The following Departmental List of Exceptions apply to individual actions.

Departmental instructions mandate that environmental documents **MUST BE**

PREPARED for actions which may: *(Mark applicable answer for each item. If "yes", prepare an EA/EIS and append this form to it.)*

- | | <u>YES</u> | <u>NO</u> |
|---|-------------------|------------------|
| 1. Have significant adverse impacts on public health or safety. | ___ | ___ <u>X</u> |
| 2. Have adverse effects on unique geographic characteristics, historic or cultural resources, park, recreation or refuge lands, wilderness areas, wild or scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands, floodplains, or ecologically significant or critical areas, including those listed on the Department's National Register of Natural Landmarks. | ___ | ___ <u>X</u> |
| 3. Have highly controversial environmental effects. | ___ | ___ <u>X</u> |
| 4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. | ___ | ___ <u>X</u> |
| 5. Establish a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects. | ___ | ___ <u>X</u> |
| 6. Be directly related to other actions with individually insignificant, but cumulatively significant environmental effects. | ___ | ___ <u>X</u> |
| 7. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places. | ___ | ___ <u>X</u> |
| 8. Have adverse effects on species listed or proposed to be listed on the List of Endangered or Threatened Species, or have adverse effects on designated critical habitat for these species. | ___ | ___ <u>X</u> |

CX FORM (Cont'd)

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- | | <u>YES</u> | <u>NO</u> |
|---|------------|-----------|
| 9. Require compliance with Executive Order 11988 (Flood plain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act. | ___ | <u>X</u> |
| 10. Threaten to violate a Federal, State, local or tribal law or requirement imposed for the protection of the environment. | ___ | <u>X</u> |

I certify that none of the Departmental exceptions listed in the above Part B (516 DM 2, Appendix 2) apply to this action.

Remarks:

Preparer: /s/ Jerri Sansone Date: October 11, 2001

PART III - DECISION

I have reviewed this plan conformance and NEPA compliance record and have determined that the proposed project is in conformance with the approved land use plan and that no further environmental analysis is required. It is my decision to implement the project, as described, with the mitigation measures either identified below or stipulation(s) attached in this case file.

Mitigation Measures/Other Remarks:

Currently the road/trail is 15 feet wide, with a requested 25 foot width from the applicant. After field exam it was determined to reduce the requested road width to 15 feet with the placement of clean cobble fill of 2-6 inch size and/or culvert structures across damaged bogs to retain the roadway and still allow the wetland to function and eliminate needless damage.

Remarks:

Authorized Official: /s/ Stu Hirsh, Acting Field Manager Date: October 15, 2001